

1 JOINTLY SUBMITTED
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10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA

12 PHASE II CHIN, LLC and LOVE &
13 MONEY, LLC, (formerly dba
14 O.P.M.L.V., LLC,
15 Plaintiffs,

) CASE NO. 2:08-cv-162-JCM-GWF

16 vs.
17 FORUM SHOPS, LLC, FORUM
18 DEVELOPERS LIMITED
19 PARTNERSHIP, SIMON PROPERTY
20 GROUP LIMITED PARTNERSHIP,
SIMON PROPERTY GROUP, INC.,
CAESARS PALACE CORP., and
CAESARS PALACE REALTY CORP.,
21 Defendants.

)
**STIPULATION AND ORDER
FOR STAY AND/OR TO
EXTEND DEADLINES
PENDING DECISION IN A
RELATED ACTION**

) FIRST REQUEST

22 Plaintiffs Phase II Chin, LLC and Love & Money, LLC ("Plaintiffs")
23 hereby stipulate with defendants Forum Shops, LLC, Forum Developers Limited
24 Partnership, Simon Property Group Limited Partnership, Simon Property Group,
25 Inc. (collectively, "the Forum Defendants") and Caesars Palace Realty
26 Corporation, and Caesars Palace Corporation (collectively, "the Caesars
27 Defendants") as follows:
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1 1. A related action is pending between some of the parties in this
2 case in the Superior Court State of Delaware in and for New Castle County, C.A.
3 076-10-030CLS, entitled *Forum Shops LLC, Plaintiff v. Chin-LV, LLC et al.,*
4 *Defendants*. The defendants in the Delaware action, plaintiffs here, have filed a
5 Motion to Dismiss or Stay that action, which is pending hearing and decision by
6 the Court there.

7 2. All named defendants in this action have either been served or
8 accepted service of the complaint in this case. The due dates for the defendants
9 in this case to answer or otherwise move as to the complaint, if not extended, are
10 various and range from February 14, 2008 to March 15, 2008. These dates, if not
11 extended, will trigger the Rule 26 and LR 26-1 deadlines for initial discovery
12 exchanges and filing of the discovery plan and scheduling order.

13 3. Before the Caesars Defendants removed this case, Plaintiffs and
14 the Forum Defendants entered into a Stipulation in the Eighth Judicial District
15 Court extending the due date to answer or move and a stay on further action in
16 the case pending decision by the Delaware Court on the Motion to Dismiss or
17 Stay. A true copy of this Stipulation is attached.

18 4. Without prejudice to any rights or arguments any party may have
19 in this or the Delaware case, the parties agree that the efficient course of further
20 proceedings in this case may be affected by decision on the pending Motion to
21 Dismiss or Stay in the Delaware case.

22 5. Accordingly, the parties hereto agree to a stay of proceedings in
23 this case until July 1, 2008, or a date 30 days after decision by the Delaware court
24 on the Motion to Dismiss or Stay, whichever is earlier. This stay extends all
25 existing deadlines to the earlier of July 1, 2008 or a date 30 days after the
26 Delaware Court's decision on the Motion to Dismiss or Stay (except those set
27 forth in this Court's Order Concerning Removal, which are unchanged and will
28 be met) including without limitation: (a) the time within which plaintiffs must

1 move for remand; (b) the time within which any of the defendants must answer
2 or move; and (c) the pretrial discovery conference and scheduling conference
3 deadlines, which shall run under LR 26-1 from the date first defendant answers
4 or moves as to the complaint.

5 5. This is the first extension of any deadline in this case. It
6 represents an extension of at most 135 days of the earliest deadline in this case,
7 which is the February 14, 2008 deadline for some of the defendants to answer or
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otherwise move as to the complaint. Depending on when the Delaware court decides the motion, the time period may be less than that.

Dated: February 20, 2008

HUNTERTON AND ASSOCIATES

By: /s/
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Attorneys for Plaintiff
Phase II, Chin, LLC

Dated: February 20, 2008

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Love & Money, LLC

Dated: February 20, 2008

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Attorneys for Defendants
Forum Shops, LLC, Forum
Developers Limited Partnership,
Simon Property Group Limited
Partnership, and Simon Property
Group, Inc.

Dated: February 20, 2008

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Attorneys for Defendants
Caesars Palace Corp. and
Caesars Palace Realty Corp.

ORDER

IT IS SO ORDERED.

Dated: _____, 2008

United States [District] [Magistrate] Judge